

REQUIRES MONITORING  
OR STAFF ACTION \_\_\_\_\_

**COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>November 8, 2005</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2005-110-WS</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>		_____

**SUBJECT:**

DOCKET NO. 2005-110-W/S – Petition of the Office of Regulatory Staff to Request Forfeiture of the Piney Grove Utilities, Incorporated's Bond and to Request Authority to Petition the Circuit Court for Appointment of a Receiver. A hearing was held on this matter on August 9, 2005. This matter is ready for Final Disposition.

**COMMISSION ACTION:**

Move that we grant so much of the Petition of the Office of Regulatory Staff as would allow it to petition the Circuit Court for appointment of a receiver for Piney Grove Utilities, Inc.

I also move that we deny at this time the portion of the Petition requesting forfeiture of the performance bond. I also move that the Commission find that the bond was given, and remains in place, to secure the performance and operations of Piney Grove Utilities, Inc. A duly appointed receiver, or any other appropriate party, may come back before the Commission and argue for forfeiture on the basis of itemized expenditures or losses.

Finally, Mr. Chairman, I move that all outstanding objections to evidence be overruled and all outstanding hearing exhibits proposed for admission into the evidence at the hearing be admitted into the evidence of this case.

I so move.

PRESIDING Mitchell

APPROVED ☐

MOTION	YES	NO	OTHER	APPROVED STC 30	<input type="checkbox"/>
--------	-----	----	-------	-----------------	--------------------------

DAYS

CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ACCEPTED FOR FILING	<input type="checkbox"/>
---------	--------------------------	-------------------------------------	--------------------------	---------------------	--------------------------

FLEMING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Not Voting	DENIED	<input type="checkbox"/>
---------	--------------------------	--------------------------	--------------------------	------------	--------	--------------------------

HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	AMENDED	<input type="checkbox"/>
----------	--------------------------	-------------------------------------	--------------------------	---------	--------------------------

HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TRANSFERRED	<input type="checkbox"/>
--------	--------------------------	-------------------------------------	--------------------------	-------------	--------------------------

MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SUSPENDED	<input type="checkbox"/>
----------	--------------------------	-------------------------------------	--------------------------	-----------	--------------------------

MOSELEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CANCELED	<input type="checkbox"/>
---------	--------------------------	-------------------------------------	--------------------------	----------	--------------------------

WRIGHT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SET FOR HEARING	<input type="checkbox"/>
--------	-------------------------------------	--------------------------	--------------------------	-----------------	--------------------------

ADVISED ☐

Session: Regular CARRIED OVER ☐

Time of Session 2:30 PM RECORDED BY JBS

Commissioner Fleming was absent from the Hearing due to Sickness